



General Assembly

January Session, 2013

Committee Bill No. 752

LCO No. 4035



* 0 4 0 3 5 S B 0 0 7 5 2 G L *

Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING SELF-SERVICE STORAGE FACILITY LIENS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 42-159 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 As used in this chapter:

4 (1) "Self-service storage facility" means any real property designed
5 and used for the renting or leasing of individual self-contained units of
6 storage space to occupants who are to have access to such units for
7 storing and removing personal property only, and not for residential
8 purposes. A self-service storage facility and an owner are not a
9 warehouse, as defined in section 42a-7-102, except that if an owner
10 issues a document of title, as defined in section 42a-1-201, for the
11 personal property stored, the owner and the occupant are subject to
12 the provisions of article 7 of the Uniform Commercial Code and the
13 provisions of this chapter do not apply.

14 (2) "Owner" means the owner, operator, lessor, or sublessor of a self-
15 service storage facility, his or her agent, or any other person authorized

16 by him or her to manage the facility or to receive rent from an
17 occupant under a rental agreement.

18 (3) "Occupant" means a person, or the sublessee, successor, or
19 assignee of a person, entitled to the use of a storage unit at a self-
20 service storage facility under a rental agreement, to the exclusion of
21 others.

22 (4) "Rental agreement" means any written agreement or lease that
23 establishes or modifies the terms, conditions, rules or any other
24 provisions concerning the use and occupancy of a unit in a self-service
25 storage facility.

26 (5) "Personal property" means movable property not affixed to land
27 and includes, but is not limited to, goods, merchandise, household
28 items and motor vehicles.

29 (6) "Last known address" means [that] a postal or electronic address
30 provided by the occupant in the latest rental agreement or [the] a
31 postal or electronic address provided by the occupant in a subsequent
32 written notice of a change of address.

33 (7) "Default" means failure to perform any obligation or duty
34 imposed by a rental agreement or by this chapter.

35 Sec. 2. Section 42-160 of the general statutes is amended by adding
36 subsection (d) as follows: (*Effective July 1, 2013*):

37 (NEW) (d) If such personal property is a vessel, the owner of a self-
38 service storage facility shall follow the requirements of sections 49-55
39 to 49-59, inclusive.

40 Sec. 3. Section 42-161 of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective July 1, 2013*):

42 (a) No owner may satisfy the lien provided for in section 42-160
43 unless he or she complies with the procedure set forth in this chapter.

44 (b) The owner shall notify the occupant and any person who has
 45 filed a valid security interest in such property with the Secretary of the
 46 State of his or her intention to satisfy the lien with a written notice
 47 which shall be delivered in person or sent by electronic mail or by
 48 registered or certified mail, return receipt requested, to the last known
 49 address of the occupant.

50 (c) If the owner sends electronic notice to the occupant pursuant to
 51 subsection (b) of this section, the owner shall send notice to the
 52 occupant by registered or certified mail pursuant to said subsection if
 53 the owner has not received confirmation, not later than seven days
 54 after sending the electronic notice, that the occupant has opened the
 55 electronic notice.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	42-159
Sec. 2	<i>July 1, 2013</i>	42-160
Sec. 3	<i>July 1, 2013</i>	42-161

Statement of Purpose:

To modernize self-service storage facility lien laws.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. CASSANO, 4th Dist.

S.B. 752